IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 2ND AUGUST 2007 / 11TH SRAVANA 1929

WP(C).No. 23621 of 2007(K)

PETITIONER:

P. PRAKASH JOSEPH, S/O. JOSEPH,
18/2360B, PARACKAL HOUSE, THOPPUMPADY, COCHIN-5
(STATION MASTER, RETIRED ON 30-04-2007 FROM
ERNAKULAM DEPOT).

BY ADV. SRI.K.P.JUSTINE

RESPONDENTS:
----

1. **THE KERALA STATE ROAD TRANSPORT CORPORATION, REPRESENTED BY ITS MANAGING DIRECTOR, TRANSPORT BHAVAN, FORT P.O.,THIRUVANANTHAPURAM-23.**

2. **THE FINIANCIAL ADVISOR & CHIEF ACCOUNTS OFFICER,KERALA STATE ROAD TRANSPORT CORPORATION, TRANSPORT BHAVAN, FORT P.O., THIRUVANANTHAPURAM-23.**

3. **THE ASSISTANT ACCOUNTS OFFICER (PENSION) KERALA STATE ROAD TRANSPORT CORPORATION, TRANSPORT BHAVAN, FORT P.O.,THIRUVANANTHAPURAM-23.**

4. **THE DISTRICT TRANSPORT OFFICE, KERALA STATE ROAD TRANSPORT CORPORATION,ERNAKULAM.**

BY ADV. SHRI K. PRABHAKARAN, SC, KSRTC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 23621 OF 2007 K

Dated this the 2nd August, 2007

JUDGMENT

Petitioner retired from the service of the first respondent KSRTC as Station Master on 30.4.2007. He seeks a direction to sanction and disburse the DCRG and Commuted Value of Pension, so as to enable him to utilise the same for the treatment of his wife and to settle the personal loans availed at the time of surgery of his wife. According to petitioner, his wife underwent Kidney transplantation surgery on 13.1.2003. Ext.P2 is the Medical Certificate produced in this behalf. According to petitioner, every month, a sum of Rs.10,000/= has to be spent for her continued treatment for immunosuppressive medicines. This is sought to be proved by Ext.P3 Certificate issued by the Doctor. Ext.P4 series are the bills showing the medicines purchased by the petitioner. Petitioner relies on Ext.P5 Judgment in support of his claim. Heard the learned standing counsel appearing for the respondent Corporation also. The

Writ Petition is disposed of as follows:

If the petitioner files a representation before the first respondent within three weeks from today and seeks out of turn payment of the pensionary benefits and produces materials to show that out of turn payment is warranted, the first respondent will consider and pass appropriate orders for release of the DCRG or Commuted Value of Pension whichever is higher. A decision in this regard will be taken within six weeks from the date of production of the representation along with a copy of this Judgment.

K. M. JOSEPH, JUDGE

kbk.